

Remarks

The Office Action mailed 18 June 2002 has been received and reviewed. Claims 12 and 16-20 are canceled, claim 11 is amended, and new claims 21-40 are presented, leaving claims 11, 13-15 and 21-40 pending. Reconsideration and withdrawal of the rejections are respectfully requested.

New Claims

New claims 21-40 are presented in connection with this response. Claims 21-31 all depend from independent claim 11. New independent claim 32 and its dependent claims 32-40 are also presented to provide protection over different aspects of the methods of the present invention. No new matter is added.

The 35 U.S.C. §112, Second Paragraph, Rejection

Claims 16-20 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, claims 17-20 as presented are seen to be incomplete, (i.e., to constitute only the second part of the applicants' envisioned process) as a comparison of the first and second paragraphs of the abstract would apparently fairly and clearly indicate. Furthermore, regarding claim 16, there is no indication in claim 11 that the stems are ever oriented to begin with.

Applicants have canceled claim 16, thereby rendering its rejection moot.

Although Applicants traverse the assertion that the claim scope is to be limited by the abstract, Applicants have canceled claims 17-20 to expedite processing of the present invention. New claims 32 and 35-37 correspond to canceled claims 17-20.

Withdrawal of the rejection under 35 U.S.C. §112 are respectfully requested.

Amendment and Response

Page 7 of 8

Serial No.: 09/821,669

Confirmation No.: 4980

Filed: 29 March 2001

For: METHOD FOR MAKING A STEM WEB

The 35 U.S.C. §102/103 Rejections

Pending claims 11 and 13-15 were rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as obvious over Zimmerman (U.S. Patent No. 2,731,671). Applicants respectfully traverse these rejections.

Independent claim 11 has been amended to recite that "a plurality of discrete polymeric regions" are fused to the web. Claim 11 also recites that "a plurality of stems" are formed in each discrete polymeric region.

Zimmerman does not disclose or suggest the formation of "a plurality of stems" in each of "a plurality of discrete polymeric regions" on a web. Rather, each mass of polymer deposited in the processes disclosed by Zimmerman forms a single element of a fastener (i.e., a "zipper").

For the above reasons, Applicants respectfully submit that independent claim 11 (and its pending dependent claims 13-15) are patentable over Zimmerman. Reconsideration and withdrawal of these rejections are, therefore, respectfully requested.

Applicants also note that new dependent claims 21-31 are presented in this response, all of which depend from independent claim 11. Applicants respectfully submit that, at a minimum, these claims are patentably distinct from Zimmerman by virtue of their dependency from independent claim 11.

Claims 17-20 were rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as obvious over Melbye et al. (U.S. Patent No. 5,077,870). Applicants note that claims 17-20 have been canceled, thereby rendering this rejection moot.

Applicants further note, however, that Melbye et al. does not disclose or suggest forming a plurality of stems in a plurality of discrete regions on a web. Applicants also traverse the conclusory assertion regarding masking made in support of this rejection.

Amendment and Response

Serial No.: 09/821,669

Confirmation No.: 4980

Filed: 29 March 2001

For: METHOD FOR MAKING A STEM WEB

Page 8 of 8

Summary

It is respectfully submitted that the pending claims 11, 13-15 and 21-40 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for
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CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on this 17th day of September, 2002, at 12:50 p.m. (Central Time).

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APPENDIX A - SPECIFICATION/CLAIM AMENDMENTS
INCLUDING NOTATIONS TO INDICATE CHANGES MADE

Serial No.: 09/821,669

Docket No.: 54407US007

Amendments to the following are indicated by underlining what has been added and bracketing what has been deleted. Additionally, all amendments have been marked in bold typeface.

In the Claims

For convenience, all pending claims are shown below.

11. (AMENDED) A method of making a web material having a plurality of stems extending from discrete regions of the web, the method comprising:

[(a)] providing a web;

[(b)] providing a plurality of discrete quantities of a polymeric material on the web at a temperature above its softening point, wherein a plurality of discrete polymeric regions are formed on the web; and

[(c)] fusing the discrete quantities of the polymeric material to the web; and]

[(d)] forming a plurality of stems in each discrete polymeric region of the plurality of discrete polymeric regions [of the discrete quantities of the polymeric material].

12. (CANCELED)

13. The method according to claim 11, wherein the discrete quantities of polymeric material are provided by extruding molten polymer in a form selected from intermittent quantities and continuous ribbons.

14. The method according to claim 11, wherein the discrete quantities of polymeric material are provided by one or more rotating cutting blades positioned intermediate a source of

Amendment and Response – Appendix A

Serial No.: 09/821,669

Page 2A

Confirmation No.: 4980

Filed: 29 March 2001

For: METHOD FOR MAKING A STEM WEB

polymeric material and the web, wherein the cutting blades cut the polymeric material into discrete quantities.

15. The method according to claim 11, further comprising deformation of the stems with a heated surface to produce an enlarged end on the stems.

16-20. (CANCELED)

21. (NEW) The method of claim 11, wherein the plurality of discrete polymeric regions are located on only one major surface of the web.

22. (NEW) The method of claim 11, wherein the plurality of discrete polymeric regions are separated by inter-regions revealing exposed portions of the first major surface of the web.

23. (NEW) The method of claim 11, wherein the web comprises loop structures adapted to lock with the plurality of stems.

24. (NEW) The method of claim 11, wherein the web comprises an elastic web.

25. (NEW) The method of claim 11, wherein the plurality of discrete polymeric regions comprises a plurality of stripes extending over the first major side of the web.

26. (NEW) The method of claim 11, wherein the plurality of discrete polymeric regions covers between 20 and 80 percent of the first major side of the web.

Amendment and Response – Appendix A
Serial No.: 09/821,669
Confirmation No.: 4980
Filed: 29 March 2001
For: METHOD FOR MAKING A STEM WEB

Page 3A

27. (NEW) The method of claim 11, wherein the plurality of discrete polymeric regions covers between 5 and 25 percent of the first major side of the web.
28. (NEW) The method of claim 11, wherein each stem of the plurality of stems comprises a hook.
29. (NEW) The method of claim 11, wherein the web defines a localized plane, and wherein the plurality of stems are oriented at an angle that is not normal to the localized plane.
30. (NEW) The method of claim 11, wherein the web defines a localized plane, and wherein the plurality of stems are oriented at an angle that is not normal to the localized plane, and further wherein the plurality of stems are angled in multiple directions.
31. (NEW) The method of claim 11, wherein forming a plurality of stems in each discrete polymeric region of the plurality of discrete polymeric regions comprises forcing the polymeric material of the plurality of polymeric regions against a tool comprising a plurality of angled holes, wherein the plurality of stems are oriented at an angle that is not normal to a localized plane defined by the web.
32. (NEW) A method of making a web construction comprising a plurality of stems distributed in discrete regions on the web construction, the method comprising:
providing a web construction comprising a continuous or substantially continuous layer of polymeric material, wherein the polymeric material is at a temperature above its softening point;

Amendment and Response – Appendix A

Serial No.: 09/821,669

Confirmation No.: 4980

Filed: 29 March 2001

For: METHOD FOR MAKING A STEM WEB

Page 4A

providing a tool comprising a plurality of stem-forming holes formed in a surface of the tool, wherein the plurality of stem-forming holes are arranged in a plurality of discrete regions on the surface of the tool;

pressing the layer of polymeric material against the surface of the tool, wherein a portion of the polymeric material enters the stem-forming holes; and

separating the layer of polymeric material from the surface of the tool, wherein a plurality of stems are distributed in a plurality of discrete regions on the web construction.

33. (NEW) The method of claim 32, wherein the web construction comprises an elastic substrate on which the layer of polymeric material is located, and wherein the method further comprises stretching the elastic substrate after separating the layer of polymeric material from the surface of the tool, wherein the layer of polymeric material fractures.

34. (NEW) The method of claim 32, wherein the web construction comprises an elastic substrate on which the layer of polymeric material is located, and wherein the method further comprises:

forming indentations in the layer of polymeric material between the plurality of discrete regions of stems; and

stretching the elastic substrate after separating the layer of polymeric material from the surface of the tool, wherein the layer of polymeric material fractures along the indentations.

35. (NEW) The method of claim 32, wherein the plurality of discrete regions of stem-forming holes are formed by masking a portion of the surface of the tool.

Amendment and Response – Appendix A

Serial No.: 09/821,669

Page 5A

Confirmation No.: 4980

Filed: 29 March 2001

For: METHOD FOR MAKING A STEM WEB

36. (NEW) The method of claim 32, further comprising deforming of the plurality of stems with a heated surface to produce a disk-shaped end on the stems.

37. (NEW) The method of claim 32, wherein between 5 and 25 percent of the surface of the tool is occupied by the plurality of discrete regions of stem-forming holes.

38. (NEW) The method of claim 32, wherein the web construction defines a localized plane, and wherein the plurality of stems are oriented at an angle that is not normal to the localized plane.

39. (NEW) The method of claim 32, wherein the web construction defines a localized plane, and wherein the plurality of stems are oriented at an angle that is not normal to the localized plane, and further wherein the plurality of stems are angled in multiple directions.

40. (NEW) The method of claim 32, wherein the plurality of stem-forming holes are angled such that the plurality of stems are oriented at an angle that is not normal to a localized plane defined by the web construction.